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MCRC-55260-2024

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DEVNARAYAN MISHRA

ON THE 20th OF JANUARY, 2025MISC. CRIMINAL CASE No. 55260 of 2024*MUNIM SINGH GOND**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Mr. Mohit Chouriya - Advocate for applicant.

Ms. Kshipra Gupta - Panel Lawyer for State.

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ORDER

This is the *first* application filed by the applicant under Section 483 of *Bhartiya Nagarik Suraksha Sanhita*, 2023/Section 439 of Cr.P.C., 1973 for grant of regular bail relating to P.O.R No.135 of 2015 registered at Forest Circle Uchehra, Beat Parsoniya, District-Satna (M.P.) for the offence punishable under Sections 9, 2(16), 39, 50, 51, 52 and 58(7) of the Wild Life (Protection) Act, 1972.

2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and he has been arrested only on the basis of dog of forest squad, who came in his house and barked on him. The applicant has not committed any offence. Some other persons were involved in this case but, forest authorities on the basis that quills of porcupine were found burnt near his house has arrested the applicant. He has not made any trap. He is not involved in the offence and the identification of the dog squad is a very weak type of evidence. The applicant is a person of Tribal Community and he is



residing in the forest territory. He has not laid the trap by which the leopard was killed. No case is made out against the applicant, hence, the applicant be released on bail.

3. Learned counsel for the State submits that at the time of searching, the dog went to the house of the applicant and parts of the quills of porcupine were found burnt in the house of the applicant, the remains of the porcupine were found on the spot and one leopard was found dead. In the post-mortem, it was found that the leopard died due to electrocution thus, the applicant hunted the leopard and the leopard come in the First Schedule of the Wild Life Protection Act, 1972. Grievous offence has been committed by the applicant. Hence, the applicant cannot be released on bail.

4. Heard learned counsel for the parties and perused the case diary.

5. I have gone through the post-mortem report of leopard. In the post-mortem report, it has been clearly mentioned that the leopard died due to electric current. Remains of quills of porcupine were found in the place of incident i.e. in the house of applicant. From the spot map, it is found that electric line has been passed and as per the prosecution case, the applicant after fixing the small woods in a pattern, G.I. Cable was rolled in them and electric current was supplied and when the leopard came in the contact of that trap, leopard died.

6. Thus, looking to the facts and severity of the offence the Court is not inclined to grant bail to the applicant.



7. Hence, the bail application filed by the applicant stands dismissed.

8. Accordingly, M.Cr.C. stands disposed of.

9. C.C. as per rules.

(DEVNARAYAN MISHRA)
JUDGE

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